

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

147

Document #

U.S.C.A. # 06-4844

U.S.D.C. # 00-cv-1422

JUDGE: Batts

DATE: Oct. 31, 2006

INDEX TO THE RECORD NON APPEAL

PREPARED BY (NAME): THOMAS R. PISARCZYK
FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK
ADDRESS: 500 PEARL STREET, ROOM 370
NEW YORK, NEW YORK 10007
PHONE NO.: (212) 805 - 0636

DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

ONLY CIRCLED DOCUMENTS ARE SENT
1, 89, 104, 115, 135, 137, 138, 139, 140, 141, 145

Original Record

Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A
for the Second Circuit on the 31st Day of October, 2006.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S.C.A. # 06-4844

CSI INVESTMENT

-v-

CONDANT CORP.

U.S.D.C. # 00-cv-1422

JUDGE: BATT S

DATE: Oct. 31, 2006

Clerk's Certificate

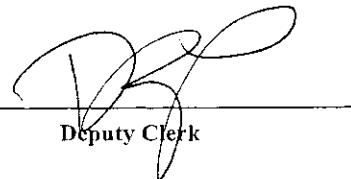
I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered _____ Through _____, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
	<i>ONLY CIRCLED DOCUMENTS SENT.</i>
	<i>1,87,104,115,135,137,138,139,140,141,145</i>

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 31st Day of October In this year of our Lord, Two Thousand and Six, and the Independence of the United States this 231st year.

J. Michael McMahon, Clerk

By



[Signature]
Deputy Clerk

CASREF

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:00-cv-01422-DAB-DFE

CSI Investment, et al v. Cendant Corp., et al
Assigned to: Judge Deborah A. Batts
Referred to: Magistrate Judge Douglas F. Eaton
Demand: \$9,999,000
Cause: 28:1331 Fed. Question: Breach of Contract

Date Filed: 02/24/2000
Jury Demand: Plaintiff
Nature of Suit: 850 Securities/Commodities
Jurisdiction: Federal Question

Date Filed	#	Docket Text
02/24/2000	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ 150.00 RECEIPT # 367841. (em) (Entered: 02/29/2000)
02/24/2000		Magistrate Judge Douglas F. Eaton is so Designated. (em) (Entered: 02/29/2000)
02/24/2000	2	RULE 1.9 CERTIFICATE filed by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle. (em) (Entered: 02/29/2000)
03/28/2000	3	STIPULATION and ORDER, reset answer due for 3/27/00 for Cendant Corporation . (signed by Judge Deborah A. Batts) (ri) (Entered: 03/28/2000)
04/10/2000	4	STIPULATION and ORDER; reset answer to the comptl. due for 4/26/00 for Amy Lipton ; (signed by Judge Deborah A. Batts) (ls) (Entered: 04/10/2000)
05/08/2000	5	Document stricken from the record and returned to the party purs. to Order, Doc. #8, signed by Judge Batts. (ls) Modified on 05/12/2000 (Entered: 05/09/2000)
05/08/2000	6	Document stricken from the record and returned to the party, purs. to Order, Doc. #8, signed by Judge Batts. (ls) Modified on 05/12/2000 (Entered: 05/09/2000)
05/08/2000	7	Document stricken from the record and returned to the party purs. to Order, Doc. #8, signed by Judge Batts. (ls) Modified on 05/12/2000 (Entered: 05/09/2000)
05/11/2000	8	STRIKE ORDER; the Clerk is ordered to strike entries 5, 6, and 7 from the Docket. These documents shall be returned by mail to the appropriate party, along with a copy of this Order . (signed by Judge Deborah A. Batts); Copies mailed.(sn) Modified on 05/12/2000 (Entered: 05/12/2000)
07/05/2000	9	STIPULATION; that the reply papers on the motion to dismiss this case served by dft. Amy Lipton on 4/16/00 shall be due on 7/14/00, and that the Return Date shall be 7/17/00, at which time all papers will be filed with the Clerk . (signed by Judge Deborah A. Batts) (pl) (Entered: 07/05/2000)
07/05/2000	10	STIPULATION and ORDER; the time for Cendant to reply to pltf's papers served in response to Cendant's motion to dismiss the complaint shall be extended to 7/14/00 . The respective return dates of Cendant's motion to dismiss the complaint and motion for admission pro hac vice shall be adjourned to 7/17/00 . (signed by Judge Deborah A. Batts) (sn) (Entered: 07/06/2000)
07/14/2000	11	STIPULATION and ORDER; in order to accommodate the schedules of counsel, the Return Date on Defendant Amy Lipton's to Dismiss this case shall be July 26, 2000, at which time all papers will be filed with the Court (signed by Judge Deborah A. Batts) (djc) Modified on 07/17/2000 (Entered: 07/14/2000)
07/17/2000	12	NOTICE OF MOTION by Cendant Corporation; for an order pursuant to Rule 1.3 (c) of the Local Rules of this Court admitting Robert Y. Sperling and Nicole Nehana Auerbach appear pro hac vice on behalf of dft. Cendant Corporation ; w/ attch. declaration in support by Michael H. Gruenglas; Return date: 6/1/00. (pl) (Entered: 07/18/2000)
07/17/2000	13	NOTICE OF MOTION by Cendant Corporation; for an order pursuant to Rule 12(b)(6) of the F.R.C.P., 15 U.S.C. section 78j(e)(2000), AND 28 U.S.C. section 1367 to dismiss for failure to state a claim ; w/ attch. declaration in support by Michael H. Gruenglas; Return Date: 6/1/00. (pl) (Entered: 07/18/2000)
07/17/2000	14	MEMORANDUM OF LAW by Cendant Corporation in support of [13-1] motion for an order pursuant to Rule 12(b)(6) of the F.R.C.P., 15 U.S.C. section 78j(e)(2000), AND 28 U.S.C. section 1367 to dismiss for failure to state a claim . (pl) (Entered: 07/18/2000)
07/17/2000	15	RULE 1.9 CERTIFICATE filed by Cendant Corporation . (pl) (Entered: 07/18/2000)
07/17/2000	16	MEMORANDUM OF LAW by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle in opposition to [13-1] motion for an order pursuant to Rule 12(b)(6) of the F.R.C.P., 15 U.S.C. section 78j(e)(2000), AND 28 U.S.C. section 1367 to dismiss for failure to state a claim . (pl) (Entered: 07/18/2000)
07/17/2000	17	AFFIRMATION of Sean F. O'Shea by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle in opposition to [13-1] motion for an order pursuant to Rule 12(b)(6) of the F.R.C.P., 15 U.S.C. section 78j(e)(2000), AND 28 U.S.C. section 1367 to dismiss for failure to state a claim . (pl) (Entered: 07/18/2000)

07/17/2000	18	REPLY MEMORANDUM by Cendant Corporation in support of re: [13-1] motion for an order pursuant to Rule 12(b)(6) of the F.R.C.P., 15 U.S.C. section 78j(e)(2000), AND 28 U.S.C. section 1367 to dismiss for failure to state a claim (pl) (Entered: 07/18/2000)
07/26/2000	19	NOTICE OF MOTION by Amy Lipton for an order dismissing the complaint against Amy Lipton, purs to Rules 9(b) and 12(b)(6) of the FRCP or in the alternative staying this action ; Return date 5/8/00. (djc) (Entered: 07/27/2000)
07/26/2000	20	MEMORANDUM OF LAW by Amy Lipton in support of [19-1] motion for an order dismissing the complaint against Amy Lipton, purs to Rules 9(b) and 12(b)(6) of the FRCP, [19-2] motion staying this action . (djc) (Entered: 07/27/2000)
07/26/2000	21	DECLARATION of Daniel J. Beller Re: in connection with Ms. Lipton's motion to dismiss the complaint in this action and to identify documents that are either referred to, but not included, in the complaint or are otherwise documents that this Court may consider in connection with Ms. Lipton's motion to dismiss. (djc) (Entered: 07/27/2000)
07/26/2000	22	REPLY MEMORANDUM by Amy Lipton in Further Support of [19-1] motion for an order dismissing the complaint against Amy Lipton, purs to Rules 9(b) and 12(b)(6) of the FRCP, [19-2] motion staying this action (djc) (Entered: 07/27/2000)
07/26/2000	23	MEMORANDUM OF LAW by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle in opposition to [19-1] motion for an order dismissing the complaint against Amy Lipton, purs to Rules 9(b) and 12(b)(6) of the FRCP . (djc) (Entered: 07/27/2000)
07/26/2000	24	AFFIRMATION of Sean F. O'Shea by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle in opposition to [19-1] motion for an order dismissing the complaint against Amy Lipton, purs to Rules 9(b) and 12(b)(6) of the FRCP . (djc) (Entered: 07/27/2000)
07/31/2000	25	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for dispositive motion (i.e. motion requiring a report and recommendation). (signed by Judge Deborah A. Batts) Referred to Magistrate Judge Douglas F. Eaton. (kw) (Entered: 08/01/2000)
07/31/2000	26	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Dispositive Motion (i.e. motion requiring a report and recommendation) (signed by Judge Deborah A. Batts) Referred to Magistrate Judge Douglas F. Eaton. (lam) (Entered: 08/01/2000)
08/07/2000	27	ORDER; granting [12-1] motion for an order pursuant to Rule 1.3 (c) of the Local Rules of this Court admitting Robert Y. Sperling and Nicole Nehama Auerbach appear pro hac vice behalf of dft. Cendant Corporation. (signed by Judge Deborah A. Batts); Copies mailed. (docmt forwarded to atty admissions clerk). (djc) (Entered: 08/10/2000)
10/01/2000	28	REPORT AND RECOMMENDATION of Magistrate Judge Douglas F. Eaton Re: [13-1] motion for an order pursuant to Rule 12(b)(6) of the F.R.C.P., 15 U.S.C. section 78j(e)(2000), AND 28 U.S.C. section 1367 to dismiss for failure to state a claim; [19-1] motion for an order dismissing the complaint against Amy Lipton, purs to Rules 9(b) and 12(b)(6) of the FRCP; [19-2] motion staying this action. I recommend that Judge Batts grant the motions of Cendant and Lipton to dismiss the complt. I also recommend that pltff's should be granted leave to file an amended complt. on the conditions set forth in this Report and Recommendation; Objections to R and R due by 10/16/00. (f) (Entered: 11/01/2000)
11/15/2000	29	Memo-Endorsement on letter addressed to Judge Batts from Sean F. O'Shea, dated 11/8/00; granting pltff's request for an additional 10 days within which to make objections to Mag. Judge Eaton's Report and Recommendation. (signed by Judge Deborah A. Batts); Copies mailed. (sac) (Entered: 11/16/2000)
03/30/2001	30	ADOPTION OF REPORT AND RECOMMENDATION; that the Report and Recommendation of U.S. Magistrate Judge Eaton dated 10/31/00 is approved, adopted and ratified by the Court ; the [13-1] & [19-1] motions to dismiss submitted by defts Cendant and Lipton are granted for the reasons further set forth on this document; deft Lipton's [19-2] request for a stay of the proceedings in this Court is denied; pltff is granted leave to file an Amended Complaint upon the conditions stated in the Report and Recommendation as outlined at pages 31-32, and upon the conditions further set forth on this document ; should the parties elect to proceed before Magistrate Eaton for all purposes, they are directed to return the consent for (Enclosed with this document) purs. to 28 USC 636(c) within 10 days of the date of this Order . (signed by Judge Deborah A. Batts); Copies mailed. (jp) (Entered: 04/03/2001)
04/18/2001	31	AMENDED COMPLAINT by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle (Answer due 5/1/01 for Cendant Corporation, for Cosmo Corigliano, for Does 1 through 100) amending [1-1] complaint against Henry Silverman, Samuel Katz; Summons issued. (sn) (Entered: 04/20/2001)
04/18/2001	31	DEMAND for jury trial by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle. (sn) (Entered: 04/20/2001)
05/10/2001	32	STIPULATION and ORDER, reset answer to amended complaint due for 6/8/01 for Samuel Katz, for Henry Silverman, for Does 1 through 100, for Amy Lipton, for Cosmo Corigliano, and for Cendant Corporation . (signed by Judge Deborah A. Batts) (kw) (Entered: 05/11/2001)
06/05/2001	33	STIPULATION and ORDER, extending time for all defts to answer to the Amended Complaint ; reset answer to the amended complaint due for 6/22/01 for Samuel Katz, for Henry Silverman, for Does 1 through 100, for Cosmo Corigliano, for Cendant Corporation . (signed by Judge Deborah A. Batts) (kg) Modified on 06/11/2001 (Entered: 06/06/2001)
10/09/2001	34	NOTICE of address change filed by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle . (yv) (Entered: 10/11/2001)

11/19/2001	35	NOTICE OF MOTION by Cosmo Corigliano; for an Order dismissing the Amended Complaint against Cosmo Corigliano, pursuant to Rules 9(b) and 12(b)(6) of the F.R.C.P.. Return date 7/20/01. Received in night deposit on 11/19/01 at 11:32 p.m. (jco) (Entered: 11/21/2001)
11/19/2001	36	MEMORANDUM OF LAW by Cosmo Corigliano in support of [35-1] motion for an Order dismissing the Amended Complaint against Cosmo Corigliano, pursuant to Rules 9(b) and 12(b)(6) of the F.R.C.P. (jco) (Entered: 11/21/2001)
11/19/2001	37	REPLY MEMORANDUM by Cosmo Corigliano in further support of [35-1] motion for an Order dismissing the Amended Complaint against Cosmo Corigliano, pursuant to Rules 9(b) and 12(b)(6) of the F.R.C.P. (jco) (Entered: 11/21/2001)
11/19/2001	38	DECLARATION of Henry E. Mazurek by Cosmo Corigliano in support of [35-1] motion for an Order dismissing the Amended Complaint against Cosmo Corigliano, pursuant to Rules 9(b) and 12(b)(6) of the F.R.C.P. (jco) (Entered: 11/21/2001)
11/19/2001	39	NOTICE OF MOTION by Cendant Corporation, Henry Silverman, Samuel Katz; for an Order dismissing the Amended Complaint pursuant to Rules 12(b)(6) and 9(b) of the F.R.C.P., 15 U.S.C. 78j(e)(2000), and 28 U.S.C. 1367 for failure to state a claim upon which relief can be granted . Return date 7/20/01. Received in night deposit on 11/19/01 at 11:32 p.m. (jco) (Entered: 11/21/2001)
11/19/2001	40	MEMORANDUM OF LAW by Cendant Corporation, Henry Silverman, Samuel Katz in support of [39-1] motion for an Order dismissing the Amended Complaint pursuant to Rules 12(b)(6) and 9(b) of the F.R.C.P., 15 U.S.C. 78j(e)(2000), and 28 U.S.C. 1367 for failure to state a claim upon which relief can be granted. (jco) (Entered: 11/21/2001)
11/19/2001	41	REPLY MEMORANDUM by Cendant Corporation, Henry Silverman, Samuel Katz re: [39-1] motion for an Order dismissing the Amended Complaint pursuant to Rules 12(b)(6) and 9(b) of the F.R.C.P., 15 U.S.C. 78j(e)(2000), and 28 U.S.C. 1367 for failure to state a claim upon which relief can be granted. (jco) (Entered: 11/21/2001)
11/19/2001	42	MEMORANDUM OF LAW by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle in opposition to [39-1] motion for an Order dismissing the Amended Complaint pursuant to Rules 12(b)(6) and 9(b) of the F.R.C.P., 15 U.S.C. 78j(e)(2000), and 28 U.S.C. 1367 for failure to state a claim upon which relief can be granted. Received in night deposit on 11/19/01 at 11:33 p.m. (jco) (Entered: 11/21/2001)
11/19/2001	43	APPENDIX by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle In re: Plaintiffs' Unpublished Decision. (jco) (Entered: 11/21/2001)
11/20/2001	44	Memo-Endorsement on letter addressed to Judge Batts from Michael H. Gruenglas, dated 11/13/01; counsel to defendants is granted leave to file a twenty-five page reply brief ; (signed by Judge Deborah A. Batts); Copies mailed. (djc) (Entered: 11/21/2001)
11/29/2001	45	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Dispositive motion (i.e. motion requiring a report and recommendation. Referred to Magistrate Judge Douglas F. Eaton . (signed by Judge Deborah A. Batts) (jp) (Entered: 11/30/2001)
02/13/2002		Oral argument (from Mr. O'Shea and Mr. Sperling) held before Judge Eaton on 2/13/02. (db) (Entered: 02/14/2002)
02/13/2002	46	Additional Submission in support of Rule 12(b)(6) Motion of defendants Cendant Corporation, Silverman and Katz to dismiss plaintiffs' amended complaint. (jco) (Entered: 02/20/2002)
02/13/2002	47	Letter filed by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle addressed to Honorable Douglas F. Eaton from Law Offices of Sean F. O'Shea, dated 2/11/02, re: response to the supplemental submission of Defendant Cendant Corp. regarding the timeliness of Plaintiffs claim pursuant to Section 10(b) of the Securities and Exchange Act of 1934. (jco) (Entered: 02/20/2002)
03/01/2002	48	REPORT AND RECOMMENDATIONS of Magistrate Judge Douglas F. Eaton that Judge Batts delete the 12 words after the word "revealed" in paraghr 112 of the Amended Complaint; that Judge Batts dismiss the First Claim as to defendants Silverman and Katz; that Judge Batts dismiss the Eighth Claim as to defendant Corigliano; and that Judge Batts deny the defendants' motions in all other respects. Motion no longer referred. Objections to R and R due by 3/15/02. (tp) (Entered: 03/01/2002)
03/12/2002		Memorandum to Docket Clerk: Magistrate Judge Eaton closes the Order of Reference for Magistrate Judge statistical purposes. Reason: on 2/28/02, Magistrate Judge Eaton issued a Report and Recommendation . (kkc) (Entered: 03/18/2002)
03/12/2002		CASE NO LONGER REFERRED TO Magistrate Judge Douglas F. Eaton. (kkc) (Entered: 03/18/2002)
05/21/2002	49	ORDER/Adoption of Report and Recommendation; the Report and Recommendation of United States Magistrate Judge Douglas F. Eaton dated 02/28/02 is approved, adopted, and ratified in its entirety by the Court ; In accordance with Mag. Judge Eaton's Report and Recommendation: plaintiffs' First Claim as to defendants Silverman & Katz, and Plaintiffs' Eighth Claim as to Defendant Corigliano, are dismissed; denying [39-1] motion for an Order dismissing the Amended Complaint pursuant to Rules 12(b)(6) and 9(b) of the F.R.C.P., 15 U.S.C. 78j(e)(2000), and 28 U.S.C. 1367 for failure to state a claim upon which relief can be granted; denying [39-1] motion for an Order dismissing the Amended Complaint against Cosmo Corigliano, pursuant to Rules 9(b) and 12(b)(6) of the F.R.C.P.; Plaintiffs shall file a Second Amended Complaint, deleting the 12 words after the word "revealed" in Paragraph 112 of the Amended Complaint, within 10 days of the date of this Order. Defendants shall answer Plaintiffs' Second Amended Complaint within 20 days of its receipt by Defendants. After defendants have answered Plaintiffs' Second Amended Complaint, a Rule 16 conference will be scheduled before this Court. See Rule 16, FRCP ; (signed by Judge Deborah A. Batts); Copies mailed. (djc) (Entered: 05/23/2002)
05/30/2002	50	CERTIFICATE OF SERVICE of Second Amended Complaint as to Cendant Corporation, Cosmo Corigliano by mail on 5/30/02. Answer due on 6/19/02 for Cendant Corporation, for Cosmo Corigliano. (jco) (Entered: 06/04/2002)

05/30/2002	51	SECOND AMENDED COMPLAINT by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle (Answer due 6/19/02 for Samuel Katz, for Henry Silverman, for Does 1 through 100, for Cosmo Corigliano, for Cendant Corporation) amending [31-1] amended complaint. (jco) (Entered: 06/04/2002)
06/25/2002	52	ANSWER to Complaint and COUNTERCLAIM by Cendant Corporation (Attorney Jonathan J. Lerner) against CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle; Firm of: Skadden, Arps, et al. by attorney Jonathan J. Lerner for defendant Cendant Corporation (db) (Entered: 07/01/2002)
06/26/2002	53	ANSWER by Cosmo Corigliano to [31-1] amended complaint . (Attorney Gary P. Naftalis from the Firm: Kramer, Levin, Naftalis & Frankel, L.L.P.) (db) (Entered: 07/02/2002)
08/16/2002	54	NOTICE of CHANGE OF LAW FIRM by Cendant Corporation. The new law firm for Robert Y. Sperling is Winston & Strawn, 35 West Wacker Drive, Chicago, Illinois 60601. (sb) (Entered: 08/20/2002)
09/03/2002	55	STIPULATION and ORDER of SUBSTITUTION OF COUNSEL, that the firm of Winston & Strawn, 200 Park Avenue, New York, New York 10166 be and hereby is substituted as counsel of record for defendant Cendant Corporation in this matter in place of the firm of Skadden, Arps, Slate, Meagher & Flom, Four Times Square, New York, NY 10036 . (signed by Judge Deborah A. Batts) (tp) (Entered: 09/04/2002)
11/04/2002	56	ORDER, that because they are not properly parties to plaintiff's second amended complaint, dfts Silverman and Katz are hereby dismissed from this action , counsel for plaintiffs and all other dfts shall appear at a conference before this court, 500 Pearl Street, courtroom 24b at 10:00 a.m. on Friday 11/15/02 . (signed by Judge Deborah A. Batts); (dle) (Entered: 11/05/2002)
11/06/2002	57	NOTICE OF MOTION by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle for an order, purs. to Local Rule 6.3 for reconsideration of this Court Order, dated 10/28/02 ; Return Date not indicated. (sac) (Entered: 11/13/2002)
11/06/2002	58	MEMORANDUM OF LAW by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle in support of [57-1] motion for an order, purs. to Local Rule 6.3 for reconsideration of this Court Order, dated 10/28/02. (sac) (Entered: 11/13/2002)
11/06/2002	59	AFFIDAVIT of Michael E. Petrella by CSI Investment, CIS Acquisition, Canterbury Mezzanine, David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle in support of [57-1] motion for an order, purs. to Local Rule 6.3 for reconsideration of this Court Order, dated 10/28/02. (sac) (Entered: 11/13/2002)
11/13/2002	60	ORDER, The part of the Court's 10/28/02 order dismissing defendants Silverman and Katz from this case entirely is withdrawn, and they are reinstated as Defendants in claims two and eight only. The court's dismissal of claim one as to defendants Silverman and Katz only shall remain in force. The status conference scheduled for 11/15/02 shall go forward. Counsel for defendants Silverman and Katz shall file and serve an answer on their behalf by 11/14/02, and shall deliver courtesy copies to the Court at the 11/15/02 status conference. (signed by Judge Deborah A. Batts) (sb) (Entered: 11/15/2002)
11/15/2002	61	ANSWER by Samuel Katz to [51-1] second amended complaint . (Attorney Richard F. Lawler, Robert Y. Sperling from the Firm: Winston & Strawn). (dle) (Entered: 11/18/2002)
11/15/2002	62	ANSWER by Henry Silverman to [51-1] second amended complaint . (Attorney Richard F. Lawler, Robert Y. Sperling from the Firm: Winston & Strawn). (dle) (Entered: 11/18/2002)
11/15/2002	63	STIPULATION and ORDER; effective November 7, 1002 the firm of Winston & Strawn shall be substituted as counsel of record for Defendants Henry Silverman and Samuel Katz in place and stead of the firm of Skadden, Arps, Slate, Meagher & Flom ; (signed by Judge Deborah A. Batts); Attached is affidavit in support. (djc) Modified on 11/18/2002 (Entered: 11/18/2002)
11/21/2002	64	SCHEDULING ORDER: No additional parties may be joined after 11/15/02; all discovery, including expert discovery, shall be commenced in time to be completed by 04/02/04; a party contemplating making a dispositive motion must notify opposing counsel by 05/07/04; proposed requests to charge and proposed voir dire shall be submitted by 05/28/04; joint pre-trial statement shall be submitted by 05/28/04; Memoranda of Law addressing those issues raised in the JPTS shall be submitted by 05/28/04; responses to the memoranda shall be submitted by 06/14/04; parties to contact Chambers to set next status; Plaintiffs to file next week to remove Does 1-100; (signed by Judge Deborah A. Batts); (djc) (Entered: 11/22/2002)
01/29/2003	65	ORDER, All parties shall appear before this Court for a pre-motion discovery dispute conference on Wed. 2/5/03 at 11:00 a.m. If defendants wish to submit responsive materials prior to this conference, they shall submit them directly to Chambers by 2/3/03 at 4:00 p.m. At the last status conference on 11/15/02, the court directed plaintiffs to file a stipulation of discontinuance as to John Does 1 to 100. To date, the Court's records indicate that nothing has been filed. (signed by Judge Deborah A. Batts) (sb) (Entered: 02/03/2003)
02/07/2003	66	STIPULATION of discontinuance of John Doe defendants 1-100 (inclusive). (signed by Judge Deborah A. Batts) (tp) (Entered: 02/10/2003)
04/02/2003	67	Transcript of record of proceedings before Judge Deborah A. Batts for the date(s) of February 6, 2003. (dt) (Entered: 04/02/2003)
07/02/2003	68	King & Spalding, LLP's Objections to CSI Investment Partners' Subpoena (djc) (Entered: 07/08/2003)
01/29/2004	69	ENDORSED LETTER addressed to Judge Batts from Sean O'Shea dated 1/19/04, granting plntfs request to extend discovery to 10/31/04. (Signed by Judge Deborah A. Batts on 1/28/04) (cd,) (Entered: 02/06/2004)
01/29/2004		Set/Reset Scheduling Order Deadlines: Discovery due by 10/31/2004. (cd,) (Entered: 02/06/2004)

06/03/2004	70	MOTION for Ronald S. Betman, Timothy J. McCaffrey and Christina L. Collins to Appear Pro Hac Vice. Document filed by Cendant Corporation, Samuel Katz, Henry Silverman. Attached is Affirmation in support of Richard F. Lawler (djc,) (Entered: 06/03/2004)
06/18/2004	71	ORDER ADMITTING ATTORNEY Ronald S. Betman, Timothy J. McCaffrey, and Christina L. Collins PRO HAC VICE. (Signed by Judge Deborah A. Batts on 6/15/04) (jco,) (Entered: 06/18/2004)
06/18/2004		Transmission to Attorney Admissions Clerk. Transmitted re: [71] Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco,) (Entered: 06/18/2004)
06/22/2004		CASHIERS OFFICE REMARK on [71] Order Admitting Attorney Pro Hac Vice in the amount of \$75.00, paid on 6/22/04, Receipt Number 512542. (db,) (Entered: 06/24/2004)
08/31/2004	72	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non-Dispositive Motion/Dispute.* Discovery. Referred to Magistrate Judge Douglas F. Eaton. (Signed by Judge Deborah A. Batts on 8/31/2004) (jmi,) (Entered: 09/08/2004)
09/13/2004	73	AFFIDAVIT OF SERVICE of endorsed letter served on John Howard on 9/13/04. Service was made by Mail. Document filed by John J. Adams, Charles Caudle, Cendant Corporation, Cosmo Corigliano, Samuel Katz, Vineet Pruthi, Henry Silverman. (dle,) (Entered: 09/16/2004)
09/13/2004	74	ORDER that the court will permit the plaintiffs to ask re-worded questions on topics that have already been covered by plaintiff's previous questions as further set forth in this order. (Signed by Judge Douglas F. Eaton on 9/9/04) Copies mailed by chambers.(dle,) Modified on 9/16/2004 (dle,). (Entered: 09/16/2004)
09/23/2004	75	ENDORSED LETTER addressed to Magistrate Judge Douglas F. Eaton from Michael E. Petrella dated 9/21/04; re: I grant this request; Discovery due by 2/1/2005. (Signed by Judge Douglas F. Eaton on 9/21/04) (sac,) (Entered: 09/24/2004)
11/05/2004	76	ORDER Plaintiff's request to move for leave to amend is granted. In addition, the Court has determined that oral argument on plaintiff's motion for necessary to enable the Court to resolve Plaintiff's motion properly. Such argument shall take place on 1/19/05 at 11:00 a.m. and, if necessary, 1/20/05 at 11:00 am, at the U.S. Courthouse, 500 Pearl Street, New York, NY in Courtroom 24B. Plaintiff shall file its moving papers with the Court and serve them on defendants no later than 12/1/04. Defendants shall file and serve their opposition papers no later than 12/31/04, and plaintiff's reply shall be filed and served no later than 1/10/05, at which time the motion will be fully submitted. So Ordered. (Signed by Judge Deborah A. Batts on 11/1/04) (jco,) (Entered: 11/10/2004)
11/05/2004		Oral Argument set for 1/19/2005 11:00 AM before Judge Deborah A. Batts. (Signed by Judge Deborah A. Batts on 11/1/04) (jco,) (Entered: 11/10/2004)
12/02/2004	77	NOTICE OF MOTION to Amend/Correct Amend Second Amended Compt..oral argument is requested.. Document filed by John J. Adams, CIS Acquisition Partners, L.P., CSI Investment Partners II, L.P., Canterbury Mezzanine Capital, L.P., Charles Caudle, Michael Cossel, M. Gerard Keehan, Vineet Pruthi, Robert E. Richardson, James M. Rothe, Marilyn Schwartz, Donald J. Shea, David C. Thompson. Return Date set for 1/19/2005 11:00 AM. (pa,) (Entered: 12/03/2004)
12/02/2004	78	DECLARATION of Michael E. Petrella in Support re: [77] MOTION to Amend/Correct.. Document filed by John J. Adams, CIS Acquisition Partners, L.P., CSI Investment Partners II, L.P., Canterbury Mezzanine Capital, L.P., Charles Caudle, Michael Cossel, M. Gerard Keehan, Vineet Pruthi, Robert E. Richardson, James M. Rothe, Marilyn Schwartz, Donald J. Shea, David C. Thompson. (pa,) (Entered: 12/03/2004)
12/02/2004	79	MEMORANDUM OF LAW in Support re: [77] MOTION to Amend/Correct.. Document filed by John J. Adams, CIS Acquisition Partners, L.P., CSI Investment Partners II, L.P., Canterbury Mezzanine Capital, L.P., Charles Caudle, Michael Cossel, M. Gerard Keehan, Vineet Pruthi, Robert E. Richardson, James M. Rothe, Marilyn Schwartz, Donald J. Shea, David C. Thompson. (pa,) (Entered: 12/03/2004)
01/03/2005	80	DEFENDANTS' MEMORANDUM OF LAW in Opposition to Plaintiffs' re: [77] MOTION to Amend/Correct.. Document filed by Cendant Corporation, Cosmo Corigliano, Amy Lipton, Does 1 through 100, Henry Silverman, Samuel Katz. (jmi,) (Entered: 01/07/2005)
01/04/2005	81	ENDORSED LETTER addressed to Judge Douglas F. Eaton from Richard F. Lawler dated 12/30/04 re: Counsel for defendants Cendant Corp., Henry Silverman and Samuel Katz writes to request an extension of the discovery deadline until 8/1/05. Judge Batts has authorized me to state that she has closed her Order of Reference and that all applications should be made to her. (Signed by Judge Douglas F. Eaton on 1/3/05) (jco,) (Entered: 01/07/2005)
01/04/2005	82	ENDORSED LETTER addressed to Judge Deborah A. Batts from Michael E. Petrella dated 1/3/05 re: denying Plaintiffs request to file a reply brief no more than 20 pages in length. (Signed by Judge Deborah A. Batts on 1/4/05) (pl,) (Entered: 01/13/2005)
01/05/2005		MEMORANDUM TO THE DOCKET CLERK: I hereby close the above Order of Reference for magistrate judge statistical purposes. The case remains open. Reason: On January 3, 2005, Judge Batts authorized me to state that she has closed her Order of Reference and that all applications should be made to her. (jeh,) (Entered: 01/07/2005)
01/11/2005	83	REPLY MEMORANDUM OF LAW in Support of re: [77] MOTION to Amend/Correct. Document filed by John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, and Michael Cossel. (kw,) (Entered: 01/18/2005)
01/11/2005	84	REPLY Declaration of Michael E. Petrella in Support of re: [77] MOTION to Amend/Correct. Document filed by John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, and Michael Cossel. (kw,) (Entered: 01/18/2005)
02/05/2005	85	TRANSCRIPT of proceedings held on 1/19/05 before Judge Deborah A. Batts. (kj,) (Entered: 02/05/2005)
02/05/2005	86	TRANSCRIPT of proceedings held on 1/19/05 before Judge Deborah A. Batts. (kj,) (Entered: 02/05/2005)

02/15/2005	87	TRANSCRIPT of proceedings held on 1/19/05 before Judge Deborah A. Batts. (Martin, Leslie) (Entered: 02/15/2005)
04/08/2005	88	NOTICE of Change of Address by Alan Roy Friedman, Gary P. Naftalis on behalf of Cosmo Corigliano. New Address: Kramer, Levin, Naftalis & Frankel, LLP, 1177 Avenue of the Americas, New York, NY, 10036, 212 715-9100. (ps,) (Entered: 04/15/2005)
07/14/2005	89	TRANSCRIPT of proceedings held on 7/7/05 before Judge Deborah A. Batts. (Ima,) (Entered: 07/14/2005)
08/09/2005	90	ORDER; the Court has reviewed the letter from Sheldon Feldman to Cendant Interactive Services, Inc., dated 1/8/99, and finds that Defendants need not turn it over to Plaintiffs. (Signed by Judge Deborah A. Batts on 8/4/05) (sac,) (Entered: 08/10/2005)
08/09/2005	91	ORDER; this matter is referred for all discovery disputes and supervision to Magistrate Judge Douglas Eaton. Judge Eaton is to work with the parties as need to complete all discovery by 3/31/06, as ordered by the Court. There shall be no extensions. (Signed by Judge Deborah A. Batts on 8/4/05) (sac,) (Entered: 08/10/2005)
08/09/2005	92	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Discovery. Referred to Magistrate Judge Douglas F. Eaton. (Signed by Judge Deborah A. Batts on 8/4/2005) (kkc,) (Entered: 08/12/2005)
08/16/2005	93	MEMORANDUM and ORDER. Plaintiff granted an extension of time until August 31, 2005 to answer Cendant Corporation's First Requests for Admissions and Second Set of Interrogatories. If parties have any further Discovery disputes they should follow the Standing Order. (Signed by Judge Douglas F. Eaton on 8/15/05) (js,) (Entered: 08/18/2005)
11/16/2005	94	MEMORANDUM AND ORDER; I direct defendants to serve, by December 2, 2005, documents as stated in this Memorandum and Order... I also direct the defendants to serve, by December 2, 2005, copies of any other communications betw. Cendant and Citibank, from 1998 through 2000, concerning the issue of tape-recorded verbal authorization or the need for customer signatures. (Signed by Judge Douglas F. Eaton on 11/16/05) copies forwarded by chambers; (djc,) (Entered: 11/17/2005)
11/29/2005	95	ORDER; defendant's motion to compel or preclude is DENIED. Plaintiffs are directed to serve responses by 12/5/2005. For the rest of the litigation parties must send every communication to each other by fax, unless the communication is more then 25 pgs..... (Signed by Judge Douglas F. Eaton on 11/28/05) (kco,) (Entered: 11/30/2005)
11/30/2005	96	MEMORANDUM AND ORDER: The Court directs the defendants to serve, by December 14, 2005, a sworn statement as to whether the defendants ever had control of documents concerning Credentials' co-marketing partners for April 1998 through July 1998 and, if so, what efforts defendants have made to locate such documents and what information defendants have concerning who may have destroyed such documents and when and why. (Signed by Judge Douglas F. Eaton on 11/29/2005) Copies Mailed By Chambers.(jmi,) (Entered: 12/01/2005)
12/08/2005	97	MEMORANDUM AND ORDER; Plaintiffs' counsel could have placed a call to me from the deposition. If that had been done, I would have ruled, as I now rule, that Mr. Murphy need not answer questions concerning his plan for future employment after the contemplated spin-offs. (Signed by Judge Douglas F. Eaton on 12/8/05) Copies Mailed by Chambers.(sac,) (Entered: 12/09/2005)
12/28/2005	98	ORDER; all counsel is directed to confer with each other for at least 30 minutes on or before 1/3/2006, to increase the productivity of the conference. A Telephone Conference is set for 1/4/2006 at 5:30 PM before Magistrate Judge Douglas F. Eaton. (Signed by Judge Douglas F. Eaton on 12/28/05) (kco,) (Entered: 12/29/2005)
12/30/2005	99	ENDORSED LETTER: addressed to Judge Douglas F. Eaton from Frank H. Wohl dated 12/29/05. ENDORSEMENT: I GRANT leave to Ms. Gredd and her law firm to respond in writing. During my telephone conference, I do not plan to spend time discussing the past-- I will concentrate on discussing what should be done in the future. At Mr. Lawler's request, I have adjourned my telephone conference to 1/9/06 at 10:00 A.M. (Signed by Judge Douglas F. Eaton on 12/30/05) (js,) (Entered: 01/03/2006)
01/09/2006	100	NOTICE of Change of Law Firm Name: Counsel for Plaintiffs CSI Investment Partners II, L.P. et al., the firm formerly known as the Law Offices of Sean O'Shea, has changed its name to O'Shea Partners LLP, effective as of 10/21/2005. (lb,) (Entered: 01/10/2006)
01/18/2006	101	ENDORSED LETTER addressed to Magistrate Judge Douglas F. Eaton from Michael E. Petrella dated 1/18/06 re: The parties request (1) issue a summary order requiring Defendant Silverman to appear for a minimum of seven hours of deposition; or (2) review Plaintiffs' draft joint letter on this issue in camera to satisfy itself that Defendants' position has no basis in fact or law. I deny both of these requests. On the other hand, since I will be on trial next week, I direct Defendants to serve their portion of the joint letter by fax or e-mail by 12:00 noon on Friday, 1/20, provided that Plaintiffs serve their portion by 2:00 p.m. on 1/18.. (Signed by Judge Douglas F. Eaton on 1/18/06) (sac,) (Entered: 01/19/2006)
01/20/2006	102	ORDER; discovery cutoff is hereby extended from 3/31/2006 to 5/15/2006 to complete expert discovery. (Signed by Judge Douglas F. Eaton on 1/19/06) Copies Mailed By Chambers.(kco,) (Entered: 01/23/2006)
02/21/2006	103	MEMORANDUM AND ORDER I direct the dfts to serve, by 2/28/06, answers signed and sworn by Samuel Katz and by Henry Silverman to the interrogatories, as listed further in this document....Furthermore, I direct the dfts to serve, by 3/7/06, a sworn response to plntfs' 9/20/05 document request 4, as modified by my 11/29/05 Memo and order etc. (Signed by Judge Douglas F. Eaton on 2/21/06) copies sent by chambers(cd,) (Entered: 02/21/2006)
02/23/2006	104	ORDER that by 2/23/06 dfts must produce the complete transcripts of all depositions given by the witnesses as further set forth in this order; by 2/28/06 dft Henry Silverman and the other dfts must produce all documents (including any privilege log) that are responsive to plaintiffs' document request no. 62; I hereby give Mr. Silverman two options: provide by 2/27/06 firm dates and times (all prior to 3/25/06) for a total of seven hours of questioning by plaintiffs or provide by 2/27/06 a firm date and time for four hours of questioning prior to 3/25/06 and a firm date and time for an additional five hours of questioning prior to 4/22/06; the court declines to make a ruling, re: accounting fraud, with respect to the deposition of Mr. Silverman or anyone else; I authorize plaintiffs to prepare a subpoena to be signed by me, directing Scott Forbes to appear for up to seven hours of deposition and to provide documents at least five business days prior to his deposition as further set forth in this order; I hereby give dfts two options: cause Cendant Corporation to make a voluntary payment to plaintiff of \$5,000 by 2/28/06 or notify plaintiffs by 2/28/06 that the dfts require plaintiffs to serve and file an affidavit documenting what they claim to be their actual expenses incurred in making discovery motions contained joint letter 6. (Signed by Judge Douglas F. Eaton on 2/22/06) (dle,) (Entered: 02/24/2006)

02/23/2006	105	ORDER that if plaintiffs wish to depose Anne Pember and/or Cosmo Corigliano, they must wait until the witness is sentenced; except for those two depositions (and except for the possibility that Scott Forbes' deposition and the final portion of Henry Silverman's deposition may occur in April) the parties must commence all fact discovery in time to complete it by 3/31/06; I see no need at this time to rule on the request by the U.S. Attorney's office for an order staying the depositions of Ann Pember, Cosmo Corigliano and Kevin Kearney until the completion of their testimony in the criminal trial scheduled to begin on 4/18/06. I hereby cancel the oral argument that I scheduled for 2/23/06. (Signed by Judge Douglas F. Eaton on 2/22/06) (dlc,) (Entered: 02/24/2006)
02/23/2006		Set/Reset Deadlines: Discovery due by 3/31/2006. (dle,) (Entered: 02/24/2006)
03/02/2006	106	ORDER; the Court advises the parties that any objections they anticipate making to Judge's Eaton's order are not to be based on facts or information that the parties did not present to Judge Eaton for his consideration before he issued his order. Any such objection shall not be considered by this Court. (Signed by Judge Deborah A. Batts on 3/1/2006) (kco,) (Entered: 03/02/2006)
03/03/2006	107	Objection re: [104] Order, , , Document filed by Cendant Corporation, Henry Silverman, Samuel Katz. (cd,) (Entered: 03/07/2006)
03/03/2006	108	AFFIRMATION of Steven Flores in Support re: [107] Objection (non-motion). Document filed by Cendant Corporation, Henry Silverman, Samuel Katz. (cd,) (Entered: 03/07/2006)
03/09/2006	109	ENDORSED LETTER addressed to Judge Douglas F. Eaton from Michael E. Petrella dated 3/6/06. ENDORSEMENT: On 3/8/06, I held a telephone conference with Mr. Petrella, Mr. Lawler, and Douglas Eabeley of Lewenstein Sandler. I read them the language set forth below, and they all agreed to it. I hereby permit plaintiffs to produce the 2/21/06 joint letter to Lewenstein Sandler counsel for Ernest and Young and for Mark Rabinowitz, a potential witness hereby deemed to be covered by paragraph 7(b)(3) of the confidentiality stipulation dated 2/12/03 on condition that Lewenstein Sandler, and Ernest and Young, and Mr. Rabinowitz each execute (and provide to plaintiffs a certificate in the form attached as exhibit A to said confidentiality stipulation. (Signed by Judge Douglas F. Eaton on 3/8/06) (js,) (Entered: 03/10/2006)
03/10/2006	110	DECLARATION of Sean F. O'Shea in Response to Objections by Defendants Cendant Corporation, Henry Silverman and Samuel Katz to Order from Magistrate Judge Eaton, Dated February 22, 2006. Document filed by John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Donald J. Shea, James M. Rothe, Michael Cossel. (djc,) (Entered: 03/10/2006)
03/10/2006	111	RESPONSE to Objections by Defendants Cendant Corporation, Henry Silverman and Samuel Katz to Order from Magistrate Judge Eaton, dated February 22, 2006. Document filed by John J. Adams, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel. (djc,) (Entered: 03/10/2006)
03/13/2006	112	MEMORANDUM AND ORDER; the plaintiffs are directed to serve by 3/14/06 an itemized privilege log, in compliance with the Court's Local Civil Rule 26.2, explaining the reasons why they seek to withhold or redact any documents responsive to defendant's discovery requests. (Signed by Judge Douglas F. Eaton on 3/12/06) (kco,) (Entered: 03/13/2006)
03/13/2006	113	ENDORSED LETTER: addressed to Magistrate Judge Douglas F. Eaton from Michael E. Petrella dated 3/13/2006. ENDORSEMENT: I hereby modify the last paragraph of my 3/12/2006 Memorandum and Order to read as follows: " Finally, I direct plaintiffs to serve an itemized privilege log, in compliance with our Court's Local Civil Rule 26.2, explaining the reasons why they seek to withhold or redact any document that is both (a) responsive to defendants' discovery requests and (b) concerns the verbal authorization issue. Plaintiffs must produce as complete a log as possible by 3/14/2006, and a final log by 3/20/2006." (Signed by Magistrate Judge Douglas F. Eaton on 3/13/2006) (lb,) (Entered: 03/14/2006)
03/15/2006	114	MEMORANDUM & ORDER: For the reasons contained herein, this Court DENIES defendants' and Forbes' requests to set aside or modify Judge Eaton's order. This Court affirms and adopts Judge Eaton's order, except for modifications to specific discovery deadlines, and except for Judge Eaton's ordering the production of deposition transcripts which would require defendant Cendant Corporation to violate the confidentiality order of Judge Walls in the District of New Jersey. All other rulings are set forth in this order. (Signed by Judge Deborah A. Batts on 3/15/2006) (lb,) (Entered: 03/16/2006)
03/17/2006	115	MEMORANDUM & ORDER: for reasons further set forth in said Order, defendants' and Forbes' request to set aside Magistrate Judge Douglas F. Eaton's Order is DENIED. Judge Douglas F. Eaton's 2/22/06 Order is AFFIRMED and ADOPTED, with the exception of his instructions in Paragraph One requiring defendants to violate Judge Walls' Confidentiality Order. (Signed by Judge Deborah A. Batts on 3/15/06) (db,) (Entered: 03/17/2006)
03/17/2006	116	ORDER that the court rules that dfts may depose Mr. Ferry, but only on three conditions: Mr. Ferry's deposition may not commence until after the completion of plaintiffs' deposition of Henry Silverman (now set for 4/5/06); dfts must serve Mr. Ferry and plaintiffs with a new deposition subpoena at least 14 days in advance of the deposition unless both Mr. Ferry and plaintiffs agree in writing to shorter service and after dfts' questioning of Mr. Ferry, plaintiff shall have an equal amount of time to question Mr. Ferry or four hours whichever is greater. (Signed by Judge Douglas F. Eaton on 3/15/06) (dle,) (Entered: 03/20/2006)
03/30/2006	117	ORDER plaintiffs are granted leave to amend the complaint. So Ordered. (Signed by Judge Deborah A. Batts on 3/29/06) (jco,) (Entered: 03/31/2006)
04/04/2006	118	NOTICE OF APPEARANCE by Herbert J. Stern on behalf of Henry Silverman. (jco,) (Entered: 04/06/2006)
04/04/2006	119	NOTICE OF APPEARANCE by James Glenn Kreissman on behalf of Henry Silverman. (jco,) (Entered: 04/06/2006)
04/18/2006	120	THIRD AMENDED COMPLAINT amending [51] Amended Complaint, against Cendant Corporation, Cosmo Corigliano, Henry Silverman, Samuel Katz. Document filed by John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel. Related document: [51] Amended Complaint, filed by CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel, John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, (jco,) (Entered: 04/19/2006)

05/04/2006	125	MEMORANDUM ORDER: I direct the defendants and plaintiffs to share equally in paying the \$5,000 in "costs" demanded by Mr. Ferry. Plaintiffs may have a valid point about the requests to admit. I urge the parties to negotiate in good faith to work out mutual stipulations concerning the authenticity of the documents. If those negotiations fail, plaintiffs may initiate a joint letter to me, to be received by me no later than May 22, 2006. In all other respects, fact discovery will close on May 12 as set forth in Judge Batt's memorandum and order dated March 15, 2006. The parties must commence all expert discovery in time to complete it within sixty days after May 12, 2006, exactly as ordered by Judge Batt. (Signed by Judge Douglas F. Eaton on 5/2/06) (js,) (Entered: 05/17/2006)
05/05/2006	121	DEMAND for Trial by Jury. Document filed by John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel(djc,) (Entered: 05/08/2006)
05/09/2006	122	ENDORSED LETTER addressed to Judge Douglas F. Eaton from Steven S. flores dated 5/8/06 re: In order to accomodate Mr. Jachimeczyk's vacation schedule, the parties have tentatively arranged to depose Mr. Jachimczyk on May 19, 2006. we ask for this limited extension of fact discovery in order to allow the deposition to proceed on May 19, 2006 (or soon thereafter) by May 31, 2006 if at all possible. ENDORSEMENT: I grant this request. (Signed by Judge Douglas F. Eaton on 5/9/06) (js,) (Entered: 05/09/2006)
05/10/2006	123	STIPULATION AND ORDER defendants and Counter-Plaintiffs, their affiliates, parents, subsidiaries, successors, assigns, officers, and employees hereby waive, relinquish, and forever release plaintiffs and Counter-Defendants, their affiliates, parents, subsidiaries, successors, assigns, officers, and employees, from any liability whatsoever for any damages, costs, or expenses of any kind that in any way arise out of or relate to the case of Anne Katherine Frerichs, et al. v. Credentials Services International, et al., 98 C 3684 (N.D. Ill.), including but not limited to attorney's fees and any costs or expenses incurred in connection with the settlement of that action; plaintiffs hereby voluntarily dismiss with prejudice their fifth and ninth claims for relief in this action (all parties bearing their respective attorney's fees and costs); and that plaintiffs agree to forego the deposition of Robert Y. Sperling, Esq. in this action. So Ordered. (Signed by Judge Deborah A. Batts on 5/9/06) (jco,) (Entered: 05/11/2006)
05/16/2006	124	MEMORANDUM AND ORDER: I hereby grant authorization for the parties to continue authentication activities beyond May 12, 2006. If the parties are unable to resolve all of the authentication issues by May 29, then plaintiffs must, no later than noon on May 30, 2006, serve their portion of a joint letter, and defendants must serve their portion no later than noon on June 1, 2006, and any joint letter on this subject must be faxed to me no later than June 5, 2006. (Signed by Judge Douglas F. Eaton on 5/12/06) (js,) (Entered: 05/17/2006)
05/17/2006	126	ENDORSED LETTER addressed to Judge Douglas F. Eaton from Timothy J. McCaffrey dated 5/16/06 re: The parties should complete the deposition of John Ferry today. It is highly unlikely that I would grant requests 1 or 2. By 5/22/2006, plaintiffs must fax me an opposing letter (with a maximum of 5 pages). By 5/23, defendants may fax me any reply (with a maximum of 2 pages). I deny plaintiffs' 5/17 request for more time. (Signed by Judge Douglas F. Eaton on 5/17/06) (kco,) (Entered: 05/18/2006)
05/22/2006	127	ORDER that the court grants plaintiffs an extension until 6/15/06 to submit expert reports; I deny plaintiffs' request to strike the expert reports served by dfts in the first round. All expert discovery will close on 7/11/06. (Signed by Judge Douglas F. Eaton on 5/22/06) (dle,) (Entered: 05/22/2006)
05/31/2006	128	ORDER, that Defendants ask me to order the following relief: Strike all testimony related to alleged extortion attempt, Strike from the record Joint Exhibits 637 through 640 and order them inadmissible at trial; Grant Defendants an opportunity to re-depose Steven Kumble and Any other relief that this Court deems just and proper. I deny each of these requests. (Signed by Judge Douglas F. Eaton on 5/31/2006) (jmi,) (Entered: 06/02/2006)
06/12/2006	129	MEMORANDUM AND ORDER; I direct the attorneys to stop using small type. Expert discovery will close on 7/11/2006. Any party wishing to make a summary judgment motion must serve and file a notice of intent by August 10. All other rulings and deadlines are set forth in this order. (Signed by Magistrate Judge Douglas F. Eaton on 6/9/2006) Copies Mailed by Chambers.(kkc,) (Entered: 06/12/2006)
06/16/2006	130	MEMORANDUM AND ORDER: In response to plaintiffs' subpoena, Mr. Moritz has obtained the last known address, telephone number and date of birth of former Citibank employee Jacquelyn Connelly. Citing privacy grounds, Mr. Moritz objects to telling this information to plaintiffs' counsel. I overruled his objection, and directed him to tell this information to Mr. Petrella. I directed plaintiffs' counsel to use this information solely for purposes of this litigation, and to treat it as confidential information. (Signed by Judge Douglas F. Eaton on 6/15/06) (js,) (Entered: 06/16/2006)
06/28/2006	131	ENDORSED LETTER: addressed to Judge Deborah A. Batts from O'Shea Partners LLP dated 6/21/2006 re: the parties jointly request a brief extension of the expert discovery deadline in this action until 7/31/2006. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Deborah A. Batts on 6/22/2006) (lb,) (Entered: 06/28/2006)
06/28/2006	132	ORDER that dfts are granted leave to amend their answer only in response to section 155 of the third amended complaint as dfts have set forth on page 49 of their proposed amended answer as further set forth in this order. Plaintiffs shall respond within 30 days of receipt of dfts' letter at which time the letter request will be fully submitted. (Signed by Judge Deborah A. Batts on 6/22/06) (dle,) (Entered: 06/28/2006)
07/24/2006	133	ENDORSED LETTER addressed to Judge Douglas F. Eaton from Jonathan R. Altschuler dated 7/20/06 re: Counsel writes to request leave of Court to depose a witness; defendants join plaintiffs in this request. On consent, I grant leave for plaintiffs to depose this witness. (Signed by Judge Douglas F. Eaton on 7/20/06) (jco,) (Entered: 07/24/2006)
08/14/2006	134	MEMORANDUM AND ORDER: regarding procedures to be followed that shall govern the handling of document production and depositions in this action. (Signed by Magistrate Judge Douglas F. Eaton on 8/11/2006) Copies Mailed By Chambers(lb,) (Entered: 08/14/2006)
08/24/2006	135	ORDER: Accordingly, proposed Requests to charge and proposed Voir Dire shall be submitted to this Court by December 8, 2006. A joint pre-trial statement, which shall conform to the Court's individual practices and supplemental trial procedure Rules, shall be submitted by January 19, 2007. Memoranda of Law addressing those issues raised by the joint pre-trial statement shall be submitted by February 2, 2007. There shall be no replies. (Signed by Judge Deborah A. Batts on 8/22/06) (js,) (Entered:

08/25/2006)	
08/29/2006	136 ENDORSED LETTER addressed to Magistrate Judge Douglas F. Eaton from Richard F. Lawler dated 8/17/2006 re: requesting a 1-week extension of time until 8/28/2006 to provide responses to plaintiff's fourth request for admissions. ENDORSEMENT: I grant this request. (Signed by Magistrate Judge Douglas F. Eaton on 8/17/2006) (lb,) (Entered: 08/30/2006)
09/06/2006	137 MOTION for Reconsideration purs to Local Rule 6.3. Document filed by Cendant Corporation, Henry Silverman, Samuel Katz; (docmt received in night dep. on 9/6/06 at 7:30 p.m. (djc,) (Entered: 09/07/2006)
09/06/2006	138 MEMORANDUM OF LAW in Support re: [137] MOTION for Reconsideration.. Document filed by Cendant Corporation, Henry Silverman, Samuel Katz. (djc,) (Entered: 09/07/2006)
09/21/2006	139 MEMORANDUM OF LAW in Opposition re: [137] MOTION for Reconsideration.. Document filed by John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel. (dlc,) (Entered: 09/25/2006)
09/21/2006	140 DECLARATION of Michael E. Petrella in Opposition re: [137] MOTION for Reconsideration.. Document filed by John J. Adams, Robert E. Richardson, Marilyn Schwartz, Charles Caudle, CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson, M. Gerard Keehan, Vineet Pruthi, Donald J. Shea, James M. Rothe, Michael Cossel. (dle,) (Entered: 09/25/2006)
09/27/2006	141 REPLY MEMORANDUM OF LAW in Support re: [137] MOTION for Reconsideration.. Document filed by Cendant Corporation, Cosmo Corigliano, Henry Silverman, Samuel Katz. (dle,) (Entered: 10/02/2006)
09/29/2006	142 AMENDED ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANT SAMUEL KATZ to Plaintiffs' Third Amended Complaint. Document filed by Samuel Katz. Related document: [120] Amended Complaint,, filed by CSI Investment Partners II, L.P., CIS Acquisition Partners, L.P., Canterbury Mezzanine Capital, L.P., David C. Thompson,, M. Gerard Keehan,, Vineet Pruthi,, Donald J. Shea,, James M. Rothe,, Michael Cossel,, John J. Adams,, Robert E. Richardson,, Marilyn Schwartz,, Charles Caudle,(jmi,) (Entered: 10/03/2006)
09/29/2006	143 CENDANT CORPORATION'S AMENDED ANSWER AFFIRMATIVE DEFENSES AND COUNTERCLAIMS TO PLAINTIFFS' THIRD AMENDED COMPLAINT. Document filed by Cendant Corporation.(jmi,) (Entered: 10/03/2006)
09/29/2006	144 AMENDED ANSWER AND AFFIRMATIVE DEFENSES to Third Amended Complaint. Document filed by Henry Silverman.(ac,) (Entered: 10/11/2006)
10/18/2006	145 MEMO ENDORSEMENT on re: [137] MOTION for Reconsideration filed by Henry Silverman, Cendant Corporation, Samuel Katz. DENIED. A summary judgment motion at this stage of the proceedings is a dilatory tactic only. (Signed by Judge Deborah A. Batts on 10/4/06) (kco,) (Entered: 10/18/2006)
10/26/2006	146 ENDORSED LETTER addressed to Magistrate Judge Douglas F. Eaton from Michael E. Petrella dated 10/26/2006 re: to an extension of the Court's October 27, 2006 deadline until November 8, 2006. ENDORSEMENT: I grant this request. (Signed by Judge Douglas F. Eaton on 10/26/2006) (jmi,) (Entered: 10/30/2006)